



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

February 2, 2024

VIA ECF

Hon. Katherine Polk Failla
United States District Judge
United States District Court
40 Foley Square, Room 2103
New York, New York 10007

MEMO ENDORSED

**Re: *Zafrin Hossain and Farhan Rahman v. U.S. Department of State, et al.*,
No. 23 Civ. 8996 (KPF)**

Dear Judge Failla:

This Office represents the government in this action, in which plaintiffs seek an order compelling the U.S. Department of State to adjudicate plaintiff Rahman's immigrant visa application. I write respectfully to request an adjournment of the initial pretrial conference scheduled for February 9, 2024 (ECF No. 6), and the corresponding obligation to submit a case management plan and joint letter. The government requests this adjournment because the government intends to file a letter on or before February 5 requesting a pre-motion conference in advance of its anticipated motion to dismiss the complaint.¹ This is the government's first request for an adjournment of the initial pretrial conference. Plaintiffs intend to oppose the anticipated motion to dismiss, but plaintiffs consent to an adjournment of the initial pretrial conference.

I thank the Court for its consideration of this letter.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

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cc: Counsel of record (via ECF)

¹ This Office was served with the summons and the complaint on December 7, 2023, resulting in a response deadline of February 5, 2024. *See* Fed. R. Civ. P. 12(a)(2).

Application GRANTED. The initial pretrial conference scheduled for February 9, 2024, is hereby ADJOURNED *sine die*. Upon the Government's filing of its pre-motion letter, and Plaintiffs' response thereto, the Court will schedule a pre-motion conference in the matter.

The Clerk of Court is directed to terminate the pending motion at docket entry 15.

Dated: February 5, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE